

**SELECTBOARD MEETING  
TUESDAY, JANUARY 17, 2017  
SELECTBOARD MEETING ROOM – 7 P.M.  
MINUTES**

Present were Members: Chair John R. Hine, Vice Chair Sarah Etelman, Clerk Bruce C. Forcier, Ira J. Brezinsky and Francis J. DeToma; Town Administrator Michael J. Sullivan.

At 7 p.m., Chair Hine called the meeting to order, noting that all members were present.

**1. APPROVAL OF MINUTES**

**SB Member Brezinsky moved to accept the minutes of December 20, 2016. SB Member DeToma seconded. The motion passed unanimously 5:0.**

**2. ANNOUNCEMENTS**

The South Hadley Redevelopment Authority (SHRA) will be meeting with its advisory board this Thursday, January 19, 2017 at 7 p.m. at Loomis Village, SB Member DeToma announced. Any interested residents are welcome to attend.

SB Member Forcier congratulated everyone who participated in the “Bag the Community” fundraising event this past weekend to benefit the South Hadley Food Pantry. It was a great event and is a great thing South Hadley does, he commented. Chair Hine offered special thanks to Sue Brouillette and Jim Reidy, who spent a great deal of time making sure everything ran smoothly. There was a noticeable increase in the number of young people involved, SB Member Brezinsky observed.

With inclement weather at hand, SB Member Etelman reminded folks who have not already done so to log on to Civic Ready and select preferences for receiving emergency notifications. Also, she reminded residents that census forms are due very soon and noted that the census can now be completed on line through a link on the town website.

**3. SET DATE FOR FIREWORKS**

The request is for Monday, July 3<sup>rd</sup> with a rain date of Wednesday, July 5<sup>th</sup>, Mr. Sullivan advised. The town is happy to report that Peoples Bank is once again going to be a major sponsor of the event, he shared.

**SB Member Etelman moved to set the date for South Hadley fireworks for Monday, July 3, 2017 with a rain date of Wednesday, July 5, 2017. SB Member Forcier seconded. The motion passed unanimously 5:0.**

**4. SYMPOSIUM OF UNDERSTANDING “FIRST RESPONDERS”**

He and SB Member Etelman have been working with a facilitator and will be meeting with First Responders tomorrow, Mr. Sullivan related. They have invited both Fire Districts to participate as well as the Police Department, Health Department and Council on Aging. They wanted to have a discussion with first responders about what they are seeing in the community as far as cultural changes and whether there is a need for cultural sensitivity or other training to address these issues. They know anecdotally that police and EMS workers are facing more mental health issues. He expressed the belief that this is a functional next step in understanding the issues facing the community. They will report back on the meeting’s progress, he confirmed.

**5. APPOINTMENTS/RESIGNATIONS**

**SB Member Brezinsky moved to accept the resignation of George Francis from the Municipal Golf Course Commission with the Selectboard’s thanks. SB Member Etelman seconded.** Having attended most of the Golf Commission meetings over the years, both Mr. Francis and Jim Brough have been very instrumental in addressing issues related to the course, SB Member Forcier said. He personally thanked both gentlemen for their service. **The motion passed unanimously 5:0.**

Some associate members who regularly attend meetings are interested in moving to full membership positions to fill the newly-created openings, Mr. Forcier reported. The Selectboard recently expanded the number of associates from two to four in order to accommodate all of the interested candidates, he reminded.

**SB Member Forcier moved to accept the resignation of Jim Brough from the Golf Commission. Ms. Etelman seconded. The motion passed unanimously 5:0.**

**6. RESOLUTIONS FOR MASSACHUSETTS MUNICIPAL ASSOCIATION (MMA) ANNUAL MEETING**

With regard to the resolution for a strong and enduring fiscal partnership between cities and state government, Mr. Sullivan expressed the opinion that nothing in the resolution is surprising or unfamiliar. The text includes a resolution to increase the Commonwealth’s share of Chapter 70 public education funding and to ensure that the full share of lottery funds dedicated to municipal services is

distributed to cities and towns. After brief discussion, **SB Member Etelman moved to authorize the chair to vote in favor of the proposed resolutions. SB Member Brezinsky seconded, adding a friendly amendment to make the authorization subject to change or any amendments which might be accepted. The motion passed unanimously 5:0.**

**7. NEW SECTION 15 WINE & MALT BEVERAGES LICENSE APPLICATION – RESOURCE ENTERPRISES CORP.**

At 7:15 p.m., Chair Hine opened the **Public Hearing on an application for a new Section 15 Wine & Malt Beverage Package Store License for Resource Enterprises Corp. d/b/a Janjua Beer & Wine, 19 Bridge Street, South Hadley, MA 01075, Vasantlal Shah, Manager.**

Vasantlal Shah presented the application. He has been in and out of this area since 1999. He was part owner of the Getty Gas station from 2002 on and, when the property came up for sale, he purchased it, since he was paying very hefty rent (\$5,000 a month). The owner of Liquor Town, Phillip Chesky, recently vacated the building on the property, opening up an opportunity for them to expand the little kiosk store into something bigger.

For now they will continue to operate stores at the two locations but down the road they would like to incorporate food sales, either fast food or deli items, into the operation. They will continue to operate the gas station/convenience store in its present space and open a wine and beer store in the other location, he clarified.

He has not had previous experience with alcohol sales but is associated with people who are in the business. He has operated a gas station since 1995. He is familiar with the regulations governing the sale of beer and wine and aware of the need for employees handling alcohol to complete alcohol awareness training, he confirmed.

As folks approach this intersection from Holyoke or either end of Main Street, one of the first things they see is this building, SB Member Etelman pointed out. Referring to the advertisements that presently cover the windows of the building, she asked whether Mr. Shah had any specific plans for the building's exterior.

He only acquired ownership of 19 Bridge Street last November (November 20, 2015), and the end of Mr. Chesky's tenancy was initially somewhat uncertain, Mr. Shah related. Architects have already drawn up plans for the building. The Selectboard's concern about appearance is his concern too, and he is planning to spend quite a chunk of money on exterior and interior renovations, he stressed. He offered to show them the plans.

Ms. Etelman clarified that her concern is more with the advertisements that adorn the windows than with architectural plans.

Mr. Shah promised to remove the ads.

SB Member DeToma echoed Ms. Etelman's concerns, commenting that, as a member of the Redevelopment Authority, he is very concerned about the appearance of that whole area. "We want to make a good impression on people coming into South Hadley," he stressed. Improving the appearance of the building is sure to be an asset in terms of attracting business, he pointed out.

Mr. Shah expressed eagerness to do whatever he could to keep town officials and his customers happy.

Mr. Brezinsky congratulated Mr. Shah on his success in acquiring the adjacent property, commenting that he had no doubt that the value of the combined parcel was greater than the sum of the two individual parcels. He expressed the opinion that the owners have the opportunity to do something really nice not just for themselves but for the community. That particular corner and the one opposite it are probably the most important corners in this section of town from an economic development perspective, he indicated. "It is really, really a key location," he observed.

Initially, he will only sell beer and wine but gradually he will add other products such as Keno, lottery and food items, Mr. Shah said. He is talking to a couple of fast food franchises and also considering the option of having an in-house deli, he advised.

When Mr. Shah took over from Getty he made a substantial investment in the canopy and replaced the underground storage tanks at his own expense, Mr. Sullivan volunteered. When Mr. Shah dropped off his application, he walked back to the store with him and pointed out some of the aesthetic concerns (spider webs, advertisements, etc.) He is happy to report that, within days, Mr. Shah began removing the signs and cleaning up the property as a show of good faith. He knows Mr. Shah understands the importance of maintaining a clear line of sight into the business from a public safety standpoint. He looks forward to continuing to work with him.

Approval of the new application is contingent on final ABCC approval of the transfer of Marlyn Corporation's liquor license to Amherst Market TK and the change of location of that license to 506 Granby Road, Chair Hine reminded.

There being no members of the public present, Chair Hine closed the public hearing.

**SB Member Forcier moved to approve a new Section 15 Wine & Malt Package Store license to Resource Enterprises Corp., d/b/a Janjua Beer and Wine, and to approve appointment of Vasantlal Shah as manager. Approval is contingent on ABCC approval of the transfer of a Section 15 All Alcohol Package Store license from Marlyn Corp. to Amherst Market TK and change of location to 506 Granby Road. SB Member Etelman seconded. The motion passed unanimously 5:0.**

Mr. Sullivan pointed out that, in the supplemental package, a number of documents in the liquor license application had to be redacted because of sensitive information such as social security numbers. He suggested that, in the future, rather than including the full application in the background information, Selectboard office staff simply include the cover page with the understanding that the full application will be retained on file for review by either Selectboard members or the public. Members indicated agreement.

**8. MASSACHUSETTS SCHOOL BUILDING AUTHORITY (MSBA) STATEMENT OF INTEREST - MOSIER SCHOOL**

Selectboard members received an e-mail from Superintendent Nicholas Young regarding this, Chair Hine noted. The Massachusetts School Building Authority (MSBA) has opened its annual application period for Statements of Interest (SOI) from school districts for capital projects to renovate or replace school facilities. The Selectboard plays a role in the process in that it has to vote to approve submission of the SOI. Once received, the MSBA reviews the SOI's and determines which projects take priority for funding. If selected, the MSBA works with the school district to identify deficiencies and recommend a solution. The Superintendent is asking the Selectboard to approve submission of the SOI, he clarified.

At the invitation of the School Department, several Selectboard and Appropriations Committee members attended a recent School Committee meeting to review building needs and deficiencies at the Mosier Elementary School and to discuss the option of renovating/repairing the building vs. submitting an application for a new building project, Chair Hine reminded.

SB Member Etelman said she wanted to make sure that any approval to move forward does not preclude any other potential building project or signify that the Selectboard is necessarily in favor of a new school building project. Selectboard approval of the request to submit a Statement of Interest is just that; authorization of a request from the Superintendent and not endorsement of a potential future building project, she stressed. SB Member DeToma echoed this caveat, pointing out that the Selectboard does not have the authority to approve a new building project, since this is ultimately a financial decision dependent on Town Meeting approval. The SOI process is just exploratory and does not commit the town to anything, he stressed.

SB Member Brezinsky stated that before taking any action he would like to invite the superintendent and School Committee members to a Selectboard meeting to discuss the request. The School Committee presentation did not contain a great deal of detail, so before going any further, he would like to have additional conversation with School Department representatives. He expressed concern that the MSBA process involves making an assessment of the "urgency" of the project; to him, a declaration of urgency seems to be at odds with the assertion that the town is not making a commitment to proceed.

This would be the beginning of a process that would naturally lead to a building project, Chair Hine added. The endpoint would be a project to substantially renovate or build a new school, so if there are some reservations, the SOI needs to be fully vetted and discussed prior to this step, he suggested. Why would we take this step if there is not a consensus that there needs to be a major renovation or replacement of the school, he asked rhetorically.

Discussion continued, with SB Member Forcier commenting that the sentence that struck him was the statement that, "An SOI should only be filed for a facility where a district has the ability to fund a project in the next two years." He is in favor of inviting school department representatives to the next Selectboard meeting to discuss the request prior to acting, he volunteered.

Chair Hine asked Mr. Sullivan to comment on the ability of the town to finance another building project based on its borrowing capacity.

He and Town Accountant Bill Sutton met with Bond Counsel Matthew Feher and financial advisor David Eisenthal Friday to see if additional borrowing is necessary for Plains School as some reimbursement from MSBA has not yet come in, Mr. Sullivan related. As far as capacity to borrow, he would have to better understand the final size of the project and whether any other building project, such as a new senior center, is pending. The question of whether the town can afford it is a difficult question for a Town Administrator to answer, he suggested. He referred to the fact that the town has used debt exclusion in the past to finance major projects rather than paying for them within existing revenue, leading to higher taxes. He expressed hope that within the next few years the town will build the capacity to support a large project within existing revenue without having to use the debt exclusion process.

In response to a question about the need for additional borrowing, Mr. Sullivan explained that the Plains School project is at 95% of substantial completion, at which point the MSBA holds back some reimbursement pending final completion. This creates a cash flow

problem for the town. The school project is not over budget and has not exceeded the appropriated amount, it is simply experiencing a temporary shortage of cash on hand to meet current expenses, SB Member Brezinsky stressed.

SB Member DeToma reminded fellow members that there is a serious need for rehabilitation of the Mosier Elementary School that the superintendent is trying to address as best he can. He is sure Dr. Young would prefer not to have to bring this request for remodeling or even a new building to the voters of the town. As Dr. Young pointed out, the likelihood of the Statement of Interest being selected for further consideration this year is low; rather, it will go into a queue of applications. Based on past history, it is usually one to three years before a district receives an invitation to proceed to the next level of design/review. "There's no need to think we're being rushed into anything," he observed.

The Statement of Interest does not commit us to anything. "It starts a ball rolling, [and] it's going to roll very slowly," he continued. The town's financial position should be better in a few years since payments on debt service for the library and Plains Elementary School will have peaked by that point and will be trending downward, he suggested. He is in favor of pushing forward, he confirmed.

Mr. Brezinsky stressed that he had no problem with establishing a Feasibility Study Committee to study the feasibility of various options for repair/replacement. However, he said he did not understand the need to simultaneously engage the state through the SOI process. Whether or not an SOI is submitted, it does not preclude the School Committee from initiating a feasibility study. The school has already engaged an architect who has identified the deficiencies and come up with several options for correcting them, he shared.

Chair Hine pointed out that the town actually submitted SOI's for both the Plains School and Mosier School several years ago, so the framework of an application is already in existence and would presumably just need to be updated. The SOI for Mosier School eventually lapsed because the state was not willing to entertain a combined solution for the two schools and the district proceeded with the application for the Plains School.

Members agreed to invite School Department representatives to the Selectboard meeting on February 7<sup>th</sup>. "I think it's really important to start talking about this in a public forum" to make people aware that the project is on the table, Chair Hine said.

With regard to borrowing, he and the Town Accountant were advised Friday that interest rates are beginning to tick upwards, Mr. Sullivan reported. They are monitoring the situation, but financial officers may come in at some point to recommend locking in a rate with a long-term bond rather than continuing to roll over short-term notes. Also, in 2018, town officials have the opportunity to re-issue some of the debt on the Ledges. If lower rates on short-term bonds continue to hold, there may be an opportunity for some savings by converting the debt to short-term instruments.

## **9. REVIEW OF JANUARY 11, 2017 SPECIAL TOWN MEETING**

The only article defeated was Article 21, the ban on plastic bags with die-cut handles, members discussed. One of the sentiments expressed at Town Meeting was that the proposal should be put to a town-wide vote. He spoke to Health Director Sharon Hart, and the Board of Health is interested in moving forward with this referendum, SB Member Forcier reported. The next BOH meeting is January 23, 2017. He said he hoped that the subject could be put on the February 7, 2017 Selectboard agenda to allow members to consider placing a question on the April 11, 2017 Annual Town Election ballot. His expectation is that the BOH will be the cheerleaders and champions of the measure and will hold some public meetings to present the pros and cons.

Since the subject is on tonight's agenda, if members are so inclined, they could direct him this evening to work with the town attorney to craft a ballot question, Mr. Sullivan advised. There will be additional ballot questions for the Selectboard's consideration on the next agenda, he related. In particular, South Hadley Fire District #1 and #2 Prudential Committee members have approached him and the Town Clerk to ask if district elections could be included in the Annual Town Election. In order to meet the deadline for putting candidates on the ballot, the Selectboard must decide by February 7<sup>th</sup>.

SB Member Etelman commented that, before she would want to place the plastic bag ban on the ballot, she would want to hear directly from the Health Director and BOH members as to their willingness to actively promote the question. Town officials have seen some spectacular ballot question failures lately, and she does not think that is a trend they would want to see continue. She would like to hear from the people who are going to "do the leg work" to get some assurance as to their willingness to do it, she indicated.

Mr. Sullivan said he did not disagree with the desirability of having the BOH, Conservation Commission and Solid Waste Advisory Committee (SWAC) publicly support the proposal. However, he also thought the Selectboard showed great leadership and restraint in allowing voters to independently weigh the merit of the Community Preservation Act (CPA). "You let the voters direct that question outside of this body," he pointed out.

Town officials can't rely on government to pass these questions; they have to be passed by the people, he asserted. Town officials need to supply the information and be involved, but the champions have to be the public; i.e. public groups separate from town government, he maintained.

SB Member Etelman said she'd heard recent criticism about the Selectboard not taking a stand on the Community Preservation Act. She expressed the opinion that whoever is behind the initial impetus to put a question on the ballot needs to be part of the leadership to advocate for its passage. And, she would caution the Selectboard against putting something on the ballot without taking a position on it; even if it is to deliberately refrain from taking a position.

SB Member Brezinsky agreed that the body responsible for introducing an article should be responsible for its promotion, in this case, the Board of Health. With regard to the plastic bag ban, he is not a subject expert in the field and so relies on the elected officials charged with making decisions on public health for guidance and recommendations.

In the interests of time, Chair Hine suggested directing the town attorney tonight to begin drafting a ballot question but waiting until February 7<sup>th</sup> to take an official position on the referendum. Members indicated agreement.

SB Member DeToma made the general comment that, in preparation for Town Meeting, he tried to research the past history of Town Meeting votes and was unable to find the record of Town Meetings or minutes of the meetings on the website. The Town Clerk takes minutes of Town Meeting, and that information should be available on line, members agreed.

Chair Hine expressed surprise at comments heard at the Special Town Meeting indicating that some did not feel that it represented a democratic way of handling town business. "Quite frankly, that stuns me," he shared. Town Meeting members are elected to represent town residents, he pointed out. He said he takes exception to the notion that Town Meeting is not a democratic forum.

SB Member Brezinsky commended Mr. Sullivan on an exceptional job in preparing for Town Meeting.

Mr. Sullivan shared his perception that some voters felt that presentation of certain articles at a Special Town Meeting was an inappropriate use of that forum. However, he voiced the opinion that it is a practical use of this tool to try to address some business outside of the Annual Town Meeting in order to relieve pressure on this event.

**SB Member Etelman moved to adjourn. SB Member DeToma seconded. The motion passed unanimously 5:0. The meeting was adjourned at 8:24 p.m.**

**RESPECTFULLY SUBMITTED,**

**LAURA KRUTZLER  
ADMINISTRATIVE SECRETARY**

**EXHIBIT A**

List of Documents Reviewed at January 17, 2017 Selectboard Meeting:

1. January 17, 2017 Agenda.
2. Minutes of December 20, 2016 Selectboard meeting.
3. Memo from Laura Krutzler, Administrative Secretary, to Selectboard and Town Administrator Michael J. Sullivan dated January 17, 2017 re: Application for a new Wine & Malt Section 15 Package Store License – Resource Enterprises Corp., d/b/a Janjua Beer and Wine, 19 Bridge Street.
4. Application of Resource Enterprises Corp., d/b/a Janjua Beer and Wine, for a new Section 15 Wine & Malt Beverages Package Store License at 19 Bridge Street.
5. Statement of Interest (SOI) for Core Program from Massachusetts School Building Authority (MSBA)
6. Text of “Resolution Ensuring a Strong and Enduring Fiscal Partnership between Cities and Towns and State Government in Fiscal 2017 and Beyond (2016).”
7. Text of “Resolution Supporting a Strong and Enduring Local-State-Federal Partnership to Protect the Environment (2016).”
8. Town Administrator Report dated January 13, 2017.